

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

FILED

TERRY FOSTER
TALAYSIA FOSTER
L. F. (minor)

Plaintiffs,

vs.

CUYAHOGA COUNTY CHILD
SUPPORT ENFORCEMENT AGENCY
1640 Superior Avenue
Cleveland, OH 44114
216-443-5100

Defendants

JUDGE ADAMS

MAG. JUDGE BURKE

CASE NO.
JUDGE:

2019 JUL 10 PM 12:25

COMPLAINT FOR DAMAGES
CIVIL RIGHTS VIOLATIONS

1:19 CV 01571

TRIAL BY JURY Demanded
Herein Appointment of Counsel
Is Requested Hereafter

This is an action brought by Terry Foster, & Talaysia Foster., & L. F., (minor) against the Department of Jobs & Family Services Cuyahoga County Child Support Enforcement Agency, hereafter CSEA; acting under the color of law for civil rights violations involving gender discrimination, due process of the law, negligent of their due diligence, breach of contract duties to up hold the law, resulting into failure to up hold the law. Plaintiffs, asks this honorable court for a civil judgment against CSEA.

The reasons for this motion are more fully detailed in the attached affidavit, and made a part hereof.

At all times relevant herein the Defendants, acting under the color of law and outside the scope of their jurisdiction and authority, willfully caused Plaintiffs damages, and in so doing, violated clearly established law, as those laws apply to

Plaintiffs liberties, protected under the Bill Of Rights, particularly under the 7th, 9th, 10th, and 14th, Amendments to the Constitution of the United States Of America.

Be it known, each of the Defendants herein have sworn an "oath of office". Plaintiffs, Terry Foster, & Talaysia Foster, & L. F., (minor) herein after Plaintiffs, at all times relevant herein, lived in the city of Cleveland, and is a current resident of the state of Ohio. Defendants CSEA is a incorporated under the laws of the state of Ohio and all have offices herein.

Plaintiffs brings this action pursuant to section 1983, and invokes the jurisdiction of this court pursuant to Title 28 U.S.C. Section 1343 (a)(3), Title 28 Section 1331 and, Title 42 U.S.C. Section 1983, and the Civil rights Act of 1870, Civil rights, 42 U.S.C. Section 2000e-Title VII-Discrimination. At all times relevant, all of the causes of action were committed within the geographical jurisdiction of this court.

The writ shall not be dismissed for lack of form or failure of process.

As a direct and/or proximate result of Defendants actions, Plaintiffs demands judgment against the defendants, as follows:

- a. as compensatory damages, \$1,000,000.00 per yearly violation per the sum of \$12,000,000.00 currently and counting
- b. as punitive damages, \$1,000,000.00 per yearly violation the sum of \$12,000,000.00 currently and counting
- c. all costs and disbursements of this action;
- d. all attorney's fees incurred in prosecuting this action pursuant to 42 U.S.C.

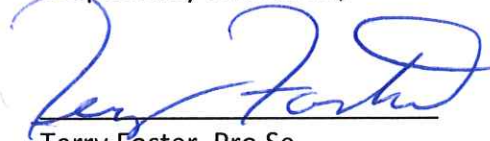
1988;

e. the right to amend this complaint as warranted by further evidence and

fact finding;

f. and other such further relief as to the Court seems proper.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Terry Foster", is written over a horizontal line.

Terry Foster, Pro Se
5024 Scovill Avenue
Cleveland, OH [44104]
216-659-9203

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AFFIDAVIT

I, Terry Foster, being duly sworn do solemnly hereby state and affirm that:

The defendant has clearly violated the laws, and policies that governs the Department of Jobs & Family Services Child Support Enforcement Agency.

The mission of the Office of Child Support Services is to get more money for more families by assisting in paternity establishment and establishing and enforcing support orders.

Per CSEA Vision:

To be Ohio's premier leader in promoting the stability, health and economic well-being of our children and families.

Child Support Services

Depending on the nature of the case, the Office of Child Support Services can provide one or more of the following services:

- Maintain child support records
- Establish and modify support orders
- Initiate wage withholding
- Attach wages, bank accounts, unemployment benefits, government retirement
- checks, federal and state income tax refunds and bonus benefits
- Assist in establishing paternity through genetic testing
- Locate absent parents responsible for support
- Assist in the enforcement of orders pertaining to health insurance

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Summary of Case to show malicious bias from CSEA

Over the past thirty years CSEA has held four court ordered child support cases pertaining to Plaintiff, Terry Foster, those case numbers are SU0570093600; AD06901817/ADO6901818; and SU12711278. During the running of each case CSEA have choose which case to enforce and which case not to enforce, pursuant to the four cases listed herein.

CSEA chose to enforce case #SU0570093600 until it was paid in full.

CSEA also enforced case #SU12711278 when plaintiff was the legal father up until plaintiff went to court and proved that he was not the biological father, before this case was terminated with some funds returned. Plaintiff still receive mailings like the case isn't closed.

CSEA have yet to apply any enforcement on case #AD06901817 & #AD06901818 even though Plaintiff had the Cuyahoga County Sheriff Department go pick up the obligor on two separate occasions at two separate addresses over a two year span. Obligor did 7 days in jail in 2012, and 22 days in jail in 2014. Obligor still was released each time without any purge payment made towards a court ordered child support obligation, and no additional punishment motion filings from CSEA for criminal support to the prosecutor office, even though obligor is 5

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1/2 over the 2 year period for criminal child support. Child Support start date Feb, 2008.

Making themselves the judge, jury, and executioner on picking and choosing which court ordered child support to enforce.

Criminal Non-Support

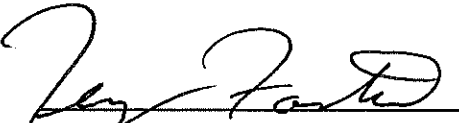
This technique can only be used after the person responsible has not paid support for 26 out of the last 104 weeks. Additionally, the obligor must have been found in contempt by either the domestic or juvenile courts and has had the ability to pay support. The Criminal Non-Support enforcement tool brings the person required to pay support into the criminal justice system. If found guilty by the criminal courts, sentences typically entail probation but may include incarceration.

As of July 3, 2019 CSEA has finally turned the case over to the Cuyahoga County Prosecutor's Office Criminal Support Unit, case# CR 641379. Due to the Plaintiffs relentlessness to have their court ordered child support case enforced accordingly to the law. Bringing the total years of violations to 11 1/2 years and counting of non support enforcement from CSEA.

A hearing must be held on all legal issues that is at hand to enforce the law.

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Further, Affiant sayeth naught.


Affiant

SWORN TO AND SUBSCRIBED BEFORE ME THIS 10TH DAY OF JULY, 2019.



SHERRY DUAH
NOTARY PUBLIC
STATE OF OHIO
Recorded in
Cuyahoga County
My Comm. Exp. 12/7/2020


NOTARY PUBLIC